

United States District Court

for

Southern District of Ohio

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: **Damin Lewis**

Case Number: **1:02CR00104**

Name of Sentencing Judicial Officer: **The Honorable Herman J. Weber, United States Senior District Judge**

Date of Original Sentence: **January 8, 2003**

Original Offense: **Possession of Firearm by Convicted Felon, in violation of 18 U.S.C. § 922 9g)(1) and 924(a)(2)**

Original Sentence: **37 months in prison, 36 months of supervised release, \$500 fine, and a \$100 specials assessment**

Type of Supervision: **Supervised Release**

Date Supervision Commenced: **April 13, 2005**

Assistant U.S. Attorney: **Timothy Oakley, Esq.**

Defense Attorney: **Richard W. Smith-Monahan, Esq.**

PETITIONING THE COURT

- ☐ To issue a warrant
☒ To issue an Order to Appear and Show Cause and toll Lewis' term of supervised release
☐ To grant an exception to revocation without a hearing.

Violation Number

Nature of Noncompliance

#1

Standard Condition: You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.

Lewis submitted urine samples on February 4, 2008, March 18, 2008, and March 28, 2008 that tested positive for marijuana.

U.S. Probation Officer Recommendation: On August 31, 2006, the Court granted Lewis an exception to a revocation hearing subsequent to testing positive for marijuana more than three times within a 365 day period. Lewis recently submitted three urine samples that tested positive for marijuana. Since Lewis' term of supervised release is due to expire on April 12, 2008, it is respectfully recommended that a summons be issued so that Lewis can appear before the Court to address his violation behavior.

The term of supervision should be

- ☒ Revoked.
☐ Extended for _____ years, for a total term of _____ years.
☐ Continued based upon the exception to revocation under 18 USC § 3563(e) or 3583(d)
☐ The conditions of supervision should be modified as follows:

RE: LEWIS, Damin

I declare under penalty of perjury that
the foregoing is true and correct.

Executed on April 4, 2008

by



Mark R. Grawe
U.S. Probation Officer

Approved,

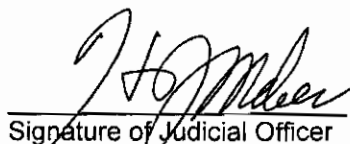


John C. Cole
Supervising U.S. Probation Officer

Date: April 4, 2008

THE COURT ORDERS:

- ☐ No Action
- ☐ The Court finds that there is probable cause to believe the defendant has violated the conditions of his/her probation/supervised release and orders the Issuance of a Warrant for his/her arrest.
- ☒ The Issuance of an Order to Appear and Show Cause and toll Lewis' term of supervised release
- ☐ The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions.
- ☐ Other



Signature of Judicial Officer

4/07/08
Date